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AGRICULTURE, FISHERIES AND FOOD



FOOD STANDARDS COMMITTEE REPORT ON CONDENSED MILK

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FOOD STANDARDS COMMITTEE

The terms of reference of the Food Standards Committee are:

To advise the Minister of Agriculture, Fisheries and Food, the Secretary of State for Socialand, the Secretary of State for Social Services and, as respects Northern Ireland, the Secretary of State for the Home Department, on the composition, description, labelling and adversings of food with particular of the Food and Drugs Act, 1955, and the corresponding provisions in enactments relating to Socialand and Northern Ireland.

The members of the Food Standards Committee at the time of the completion of this report were:

Professor A. G. WARD, O.B.E., M.A., F.INST.P., F.I.F.S.T. (Chairman).
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L. G. HANSON, Esq.

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FOOD STANDARDS COMMITTEE REPORT ON CONDENSED MILK

Terms of Reference

 We were asked to review the Condensed Milk Regulations, 1959 and to make recommendations for any necessary changes. We were asked particularly to consider certain points of difference between these Regulations and the Dried Milk Regulations, 1965.

Background

2. The Condensed Milk Regulations, 1959, were based on the Public Health Condensed Milk Regulations, 1923, which controlled the composition and latelling of condensed milk, both sweetened and unswestened and which made products. The declaration had been made voluntarily since about 1911. The 1959 Regulations repeated the provisions of the 1923 Regulations and introduced Americal Liu. Orangulation are found in the Condense of the Condense o

Differences Between the Present Regulations and the Dried Milk Regulations, 1965 3. The Dried Milk Regulations, 1965 (Appendix III) were based on the Public Health (Dried Milk) Regulations, 1923 and were made following a review by the Committee in 1962. Both the Condensed Milk Regulations and the Dried Milk Regulations provide for statutory declarations which, for all milks which are not the equivalent of full cream milk, include statements that in the absence of medical advice they are not suitable for baby feeding. We were asked to consider the following differences between the Regulations. First, it is not necessary to describe dried half cream milk also as 'partly skimmed' as is the case with condensed milk. Secondly, a declaration of minimum fat content may not be included in the statutory declarations which must be made on the labels of condensed milks but may be made in declarations on dried milks. Thirdly, whereas the Dried Milk Regulations permit the alternative declarations 'dried skimmed milk' or 'dried low-fat skimmed milk contains not more than (Z) % milk fat', a similar choice is not allowed in the Condensed Milk Regulations. Fourthly, the complete exemption of large containers from the Condensed Milk Regulations has no counterpart in the Dried Milk Regulations which include exemptions from part of the labelling provisions for large containers and which also exempt sales to caterers and manufacturers for the purposes of their business. The Dried Milk Regulations also provide for additional categories, e.g. 'three-quarter cream' and 'quarter cream'.

Production and Marketing

4. Full cream, unsweetened condensed milk, usually known as 'wapporated milk', is produced by standardising milk to a required that and solid-rate content. This is done either by adding cream (to increase the fail) or akinmed milk (to increase the solid-snon-ni/t, The milk is then pre-heated and vacuum evaporated to the required degree; the fat is stabilised by homogenisation and at this stage, stabilisers are added to prevent protein precipitation during sterilisation. Neutralisers may be required to correct acidity in the milk. Finally, the product is filled into can and sterilised by heat under pressure.

5. The most important difference in the production of the sweetened variety, usually known as condensed milk, is the absence of the sterilisation stage. Sweetened condensed milk is preserved primarily by its high soluble solids content. The milk is standardised and pasteurised. The sugar may be added

before patternisation or us ascribed solution after pasteurisation, since the tense shelf may be a store of pollugo organisms. Subhibling stats are added to the fresh milk, where this is necessary in order to compensate for seasonal and other variations. After vacuum vesporation, the milk is cooled and canned. Homogenisation of the sweetened product is not usually necessary but great care is needed to ensure that the lactone crystals formed are too small to feel

The production of condensed milks with a reduced fat content follows closely the procedures set out in the above paragraphs, preceded by centrifugal separation of part or virtually all the fat.

7. At present most production is restricted to three types of condensed milk; und cream unswertened and literam sweemed and witned weetened. A very small amount of partly skimmed, unswertened chalf cream) is also produced. We were told by the trade that there were no technical developments pending which needed to be taken into account during our review. We were given the collowing information on productions of sections of the collowing information or production. Scattline published annually by the Ministry of Agriculture, Flatheries and Food. Production of full cream in 1960 to 137,500 tons in 1966. In the same two years imports were 7,200 tons in 1960 to 137,500 tons in 1964 in the same two years imports were 7,200 tons of 4,500 tens reportively, while Cream and 4,500 tens reportively.

8. There are no official figures for sweetened condensed milk, but we were told that production was \$1,800 tens in 1906, but only 47,900 tens in 1966. Imports in the same two years were 1,300 tens and 400 tens respectively, but in control of \$1,000 tens in 1906, and \$1,000 tens in 1906, and \$1,000 tens in 1906, and \$1,000 tens in 1906 were equivalent to 630,000 cases of 48 × 140 c. or full cream and 450,000 cases of 48 × 140 c. or full cream

Usage of Condensed Milk

9. We were told that both types of condensed milk were used in several main ways in the home, in the food industry and by institutional and other caterers. The significant technological advances made in the production of dried milk since the last war have affected the use of both types of condensed milks for beverages, which is less now than it used to a since the condensed milks for beverages, which is less now than it used to a since the condensed milks for beverages, which is less now than it used to a since the condense of the co

- 10. Unsweetened condensed milk was used in place of cream and also for baby feeding after dilution. A further use was for cooking. It was estimated that 70% was used as a substitute for cream, 3% as a baby food, 22% for use in cooking or manufacture and 4% in beverages.
- 11. Sweetened condensed milk was used in the home mainly for cooking and for sweetmaking and occasionally in beverages. A large amount was also used in manufacturing, especially in the confectionery industry and in catering.
- 12. Most sales of condensed milk are in the standard packs referred to in paragraphs 7 and 8. We were told that some supplies were sold in bulk to manufacturers and, exceptionally, to large caterers.

International Standards

13. The Joint FAQ/WHO Code of Principles for Milk and Milk Products contains standards for Prayporated Milk and Evaporated Skimmed Milk and Swetened Condensed Milk. These standards—which have been accepted by 4G Governments, including the United Kingdom—are reproduced in Appendix V. The United Kingdom standards Milk These manufacts of the Product of the Product

Nomenclature

14. We were asked to consider whether the word 'evaporated' should be allowed instead of 'rondensed' in the statutory declaration for the unswettened condensed milks. There are deducted to the statutory declaration for the unswettened condensed milks. The word of the statutory declaration of the statutory declaration when it is a statutory and the statutory declaration are clearly differentiated by the means of preservation, as set out in paragraphs 4 and 5. They are also quited estimate in appearance and usage, one in reader words and statutory declaration of the statutory declaration of the superior of the sup

15. Where the milk has been modified by the removal of fits, the regulations require the use of the phrases 'partly skimmed' or 'kimmed' accompanied by the words 'half cream' for the 'partly skimmed' category. We think that veraporated hill gream milk are satisfactory descriptions for the full cream products, as are evaporated skimmed and the half of the control of the partly skimmed' category. We have the fat contact renoved. We recommend that the maximum fat content for the skimmed milks should be 0.5%. There would appear little need to retain machine-altimed in these descriptions and the contaction of this summer would be contacted to the skimmed of the state of the sta

ic. We have carefully considered the continued use of the declaration "half cream party desimand" especially for the unavescenced confinemed milk (waper-anted milk) which is readily pourable and which has a minimum fat content of 43%. We have recommended in our Report on Cream that provision should be the continued use of the expression "half cream evaporated" would cause confusion to purchasers and would weaken the operation of any new provisions and the continued use of the expression "half cream evaporated" would cause the confusion to purchasers and would weaken the operation of any new provisions also allow "there-quarter cream" and quarter cream", we think there is much greater raik of confusion for pourable products which have a physical resemble as the confusion for pourable products which have a physical resemble confusion from the confusion for pourable products which have a physical resemble these condensed milks are not legal are present and are almost wholly for baby feeding. However, we recommend that the words "half cream" be withdrawn from use to desirable evaporated arthy thimmed milk or venours and party.

skimmed milk'. We do not consider it necessary to change the reference to 'half cream' in that part of the declaration which informs the purchaser of the equivalent quantity of liquid half cream milk.

Composition

17. We have drawn attention in paragraph 13 to the standards of composition in other countries from which it is seen that the U.K. product is of a high standard. We do not think it necessary to propose any changes in the minimum percentages of milk fat or the addition of any new categories. We have recommended in paragraph 15 that a maximum fat content of skimmed milk should be imposed.

18. With regard to the percentage of milk solids other than milk fat, the provision relating to evaporated skimmed milk in the present Regulations show a slight inconsistency. For this product the minimum figure prescribed is 20%, whereas for the full cream and partly skimmed evaporated milks, if we assume the minimum fat contents, the figure is 22%, that is 5% in the same the minimum at contents, the figure is 22%, that is 6% in the case of partly skimmed. We enquired into the reasons for the lower figure for evaporated skimmed milk particularly as the figure for condensed skimmed milk is 26%, we were toold that a solids content significantly above 20% cause coagulation in the unsweetendown in the weetend category which can accessfully carry 26% of milks solids. We agree therefore that a figure of less than 26% incessary for the unsweetended variety but no great difficulties would follow if the figure was increased to 22% to conform as closely a possible to those for minimum percentage of milk solids including fat should be increased to 220 and that the categories and standards of compositions should be:

Recommended Categories and Standards of Composition

Description of Milk	Minimum Percentage of Milk Fat	Minimum Percentage of Milk Solids Including Fat	Maximum Percentage oj Milk Fat
Evaporated Full Cream Milk	9-0	31.0	-
Condensed Full Cream Milk	9-0	31.0	
Evaporated Partly Skimmed Milk	4-5	26.5	****
Condensed Partly Skimmed Milk	4.5	26.5	****
Evaporated Skimmed Milk	_	22-0	0.5
Condensed Skimmed Milk	_	26.0	0.5

19. The sweetening agent used in condensed milk is sugar (sucrose). We were told by the manufacturers that they would be content with the definition of sugar in the Dried Milk Regulations. We therefore recommend that the sweetening agent should be restricted to sugar as defined in the Dried Milk Regulations:

"sugar" means the product usually known as sugar in commercial usage,

consisting principally of sucrose'.

20. We have considered whether to recommend the imposition of minimum or maximum amounts of sugar to be added, but have concluded that this is not necessary. Technological considerations are such that to use too much sugar

sugar which are added are, therefore, confined in practice within narrow limits and there is no need to lay them down in regulations.

Additives

21. The only additives used in the preparation of evaporated or condensed milk are stabilises (including nourthiese) which are added for the reasons given in paragraphs 4 and 5. The additives used, which are all natural to food, are calcium chloride and the soldnives used, which are all natural to food, are calcium chloride and the soldnives are permitted to be used in the international Standard at an auximum total level of addition of 0.2 ½, by weight of the finished product. We see no reason why an addition at this level should consider the control of the stability of the finished product. We see no reason why an addition at this level should be considered the stability of the finished product. We see no reason why an addition at this level should be considered that the stability of the stabi

accordingly. Vitamins

22. Some manufacturers add small amounts of vitamins to evaporated and condensed milk. These additions are subject to the general control of the Labelling Regulations and we see no need therefore to recommend special provisions in this Report to control the addition of vitamins to evaporated and

condensed milks. Other Ingredients

23. Wita secretary of the additives recommended in paragraph 21, vitamins and, for medical milk sugar, we consider that no other ingredients should be added to exaporated or condensed milk and we recommend accordingly. We see no reason to recommend any obange in the requirements for the declaration of ingredients in the Labelling of Food Order, 1933 and the Labelling of Food Regulations, 1994.

Definitions

24. The definition at present contained in the Condensed Milk Regulations, 1959 will not be satisfactory in view of our recommendations regarding nomendature. Two definitions will be needed in any new Regulations and we recommend that these should be stollows: "Condensed milk" means milk, partly skimmed milk or skimmed milk, but

Contains a think man in the part of the same of the removal of part of its water, with the addition of sugar, with or without vitamins and which may have added to it a total of 0.2% by weight, calculated on the finished product, of calcium chloride and the sodium salts of carbonic, citric and orthonoschoric acid.

Evaporated milk: means milk, partly skimmed milk or skimmed milk, but excluding dried milk, which has been concentrated by the removal of part of its water and which may have added to it a total of 0.2% by weight, calculated on the finished product, of calcium chloride and the sodium salts of carbonic, citric and orthophosphoric acid.

The Declaration of Standard Milk Equivalent

required in the statutory declaration on the label of a product as an alternative to the declaration of weight which is usual for other foods.

26. The statutory declaration is given in the form 'This tin contains the equivalent of (50) pints of milk', and it is generally considered to be meaningful to the purchaser, even though in practice the consumer rarely reconstitutes the milk. We recommend that as in the Dried Milk Regulations the words 'Tbot tin' should not appear in the extentory declaration. The planes that the state of the consumer that the property of t

Exemptions

27. The Regulations at present in force contain a complete exemption for containers of five pounds gross weight. We have considered whether this exemption abould be continued and have concluded that it is no longer necessary or desirable. While it is right that manufacturers should be able to continue to lay down their own specifications, caterors and especially institutions are at present containing the common, therefore, that sides to a manufacturer for the purposes of his manufacturing business should be exempt from the Regulations, but that no other exemptions should be permitted.

Provision for Milk Other Than Cows' Milk 28, The Dried Milk Regulations, 1965 contain a provision in Schedule 2,

avagraph 1(4) that the name of any milk other than cow's milk must be declared if such milk is used wholly or in part. We have considered whether a similar provision is needed for evaporated or condensed milk. It is unlikely, in the opinion of the trade, that milk other than cow's milk would be used either in whole or in part in the production of condensed or evaporated milk. Moreover, the point is now safeguarded by a provision included in the Labelling of Food for the control of the control of

Voluntary Declaration of Fat Content

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Revised Statutory Declarations

30. Our recommendations will mean changes to the declarations given in Schedule I to the Regulations. The revised declarations are shown in Appendix

Summary of Recommendations

- 31. (1) The descriptions in the statutory declarations should be 'condensed milk' for the sweetened condensed milks and 'evaporated milk' for the unsweetened condensed milks. (Paragraph 14)
 - (2) The title of revised regulations should include both descriptions.

 (Paragraph 14)

 (3) The maximum fat content for condensed, skimmed and evaporated
 - skimmed milks should be 0.5% and the term 'low-fat' may be included in the statutory declaration if it is accompanied by a declaration of maximum fat content. (Paragraph 15)

 (4) The words 'half cream' should not be used in the statutory declaration
 - (4) The words 'half cream' should not be used in the statutory declaration to describe evaporated or condensed partly skimmed milks except in the statement of equivalence. (Paragraph 16)
 - (5) The recommended categories and standards of composition should be:

Minimum Percentage of

Maximum

	Description of Milk	Percentage of Milk Fat	Milk Solid. Including Fo	Percentage of t Milk Fat
	(a) Evaporated Full Cream Milk	9-0	31-0	_
	(b) Condensed Full Cream Milk	9-0	31-0	_
	(c) Evaporated Partly Skimmed Milk	4-5	26-5	_
	(d) Condensed Partly Skimmed Milk	4.5	26-5	
	(e) Evaporated Skimmed Milk	_	22.0	0.5
	(f) Condensed Skimmed Milk	-	26.0	0.5
				(Paragraph 18)

- (6) The following definition of sugar should be included and no other sweetening agent should be allowed: "sugar" means the product usually known as sugar in commercial usage, consisting principally of sucrose. (Paragraph 19)
- (7) The following additives should be specifically permitted at a maximum total level of addition of 0.2% by weight of the finished product and no others: calcium chloride and the sodium salts of carbonic, citric and orthophosphoric acid. (Paragraph 21)
- (8) No ingredients other than milk, sugar and stabilisers should be permitted. (Paragraph 23)
- (9) The words 'This tin...' should be omitted from the statutory declaration of standard milk equivalent. (Paragraph 26)
- (10) The exemptions for large containers should be withdrawn and replaced by an exemption for sales to a manufacturer for the purposes of his manufacturing business. (Paragraph 27)
- (11) A voluntary declaration of the fat content of condensed or evaporated milk should not be permitted as part of the statutory declaration. (Paragraph 29)
- (Paragraph 29)
 (12) The revised statutory declarations should be as in Appendix V.
 (Paragraph 30)

March, 1969

LIST OF ORGANISATIONS FROM WHOM EVIDENCE HAS BEEN RECEIVED

ABERDEEN AND DISTRICT MILK MARKETING BOARD.

*Association of British and Dominion Condensed Milk Manufacturers.

Association of Municipal Corporations.

Association of Public Analysis.

ASSOCIATION OF PUBLIC HEALTH INSPECTORS.

LONDON BOROUGH OF BARKING.

BRITISH FOOD MANUFACTURING INDUSTRIES RESEARCH ASSOCIATION.
CARNATION FOODS COMPANY LTD.

COCOA, CHOCOLATE AND CONFECTIONERY ALLIANCE.
PARLIAMENTARY COMMITTEE, CO-OPERATIVE UNION LTD.

COUNTY COUNCILS' ASSOCIATION.

FEDERATION OF WHOLESALE AND MULTIPLE BAKERS.

BOROUGH OF GUILDFORD.

INSTITUTE OF WRIGHTS AND MEASURES ADMINISTRATION.

MILK MARKETING BOARD.

MILK MARKETING BOARD FOR NORTHERN IRELAND.

MINISTRY OF AGRICULTURE, NORTHERN IRELAND.

NATIONAL ASSOCIATION OF CREAMERY PROPRIETORS AND WHOLESALE DAIRYMEN. NATIONAL FEDERATION OF CONSUMER GROUPS.

NATIONAL INSTITUTE FOR RESEARCH IN DAIRYING. CITY OF PORTSMOUTH.

SCOTTISH ASSOCIATION OF MILK PRODUCT MANUFACTURERS.

SCOTTISH MILK MARKETING BOARD.

SWISS EMBASSY.
URBAN DISTRICT COUNCILS' ASSOCIATION.
WALTON AND WEYMRIDGE URBAN DISTRICT COUNCIL.

COUNTY BOROUGH OF WARLEY.

THE CONDENSED MILK REGULATIONS, 1959 (Statutory Instrument 1959, No. 1098)

This appendix should not be regarded as a legal instrument.

The Minister of Agriculture, Fisheries and Food and the Minister of Health, acting jointly, in exercise of the powers conferred on them by sections four, seven and one hundred and twenty-three of the Food and Drugs Act, 1955(a), and of all other powers them enabling in that behalf, hereby make the following regulations, after consultation with such organizations as suppear to them to be to the food Byggene Advisory Contonli under section eighty-two of the Add Act (insofar as the regulations relate to the labelling, marking or description of food):

- These regulations may be cited as the Condensed Milk Regulations, 1959; and shall come into operation on the 26th day of June, 1959.
- (1) In these regulations unless the context otherwise requires:

'condensed milk' means milk, partly skimmed milk or skimmed milk which has been concentrated by the removal of part of its water, whether with or without the addition of sugar, and includes the article commonly known as evaporated milk but does not include the article commonly known as dried milk or milk powder;

'food and drugs authority' has the meaning assigned to it by section 83 of the Food and Drugs Act, 1955;

'gross weight' of a container means the weight of the container and of its contents:

'sell' includes expose or offer for sale or have in possession for sale, and 'sale' shall be construed accordingly;
'skimmed milk' includes separated or machine-skimmed milk.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament and as if these regulations and the regulations hereby revoked were Acts of Parliament.

- 3. Each food and drugs authority shall enforce and execute the provisions of
- these regulations in their area.

 4. The following provisions of these regulations shall not apply in relation to
- any condensed milk which is intended for exportation to a destination outside the United Kingdom or which is contained in a container whose gross weight exceeds five pounds.
- 5. (1) Subject to the provisions of this regulation-

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- (a) no person shall sell any condensed milk intended for human consumption except in a container bearing a label in accordance with the
 - provisions of the First Schedule to these regulations;

 (b) no person shall expose or offer for sale by retail any such container wrapped in paper or some other wrapper through which the label on the container is not clearly visible unless the outermost wrapper.

(a) 4 & 5 Eliz. 2. c. 16. (b) 52 & 53 Vict. c. 63.

- also bears a label as if it were a container to which sub-paragraph (a) of this paragraph applies.
- (2) For the purposes of this regulation 'sale by retail' means any sale to a person buying otherwise than for the purpose of re-sale, but does not include a sale to a caterer for the purposes of his catering business, or a sale to a manufacturer for the purposes of his manufacturing business.
- Sate to a manufacture for the purposes of manufacture for the purpose of the following state of condensed milk for immediate consumption at or in any public refreshment room, restaurant, shop or other premises of public resort or at or in any stall or mobile refreshment whiche.
- 6. Condensed milk of each description specified in column 1 of the Second Schedule to these regulations which is intended for sale for human consumption shall contain not less than the percentages by weight of milk fat and milk solids including fat specified in relation thereto in columns 2 and 3 of that Schedule respectively and no person shall sell any condensed milk which does not comply with this regulation.
- 7. If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an oftence and shall be tilable to a fine not exceeding the months, or to both, and, in the case of a continuing offence, to a further fine not exceeding three months, or to both, and, in the case of a continuing offence, to continues after conviction.
- 8. The requirements of subsection (3) of section 109 of the Food and Drugs Act, 195 (which requires notice to be given to the Minister of Agriculture, Fisheries and Food of intention to institute proceedings for an offence against any provisions of these regulations relating to labelting or marking) shall not apply as respects any proceedings instituted by a council for an offence against any such provisions of these regulations.
- The regulations specified in the Third Schedule to these regulations are hereby revoked to the extent specified in the second column of that Schedule.
- In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed this seventeenth day of June, nineteen hundred and fifty-nine.

a ...

John Hare, Minister of Agriculture, Fisheries and Food.

Given under the Official Seal of the Minister of Health this nineteenth day of June, nineteen hundred and fifty-nine.

(L.S.)

Derek Walker-Smith, Minister of Health.

THE FIRST SCHEDULE Labelling of Condensed Milk

- Every container to which regulation 5 relates shall bear a habel upon which is printed such one of the following declarations as may be applicable: Provided that in the case of any condensed milk the order of the words contained in the descriptive part of the declaration may be varied so that the word 'sweetened' or 'unsweetened', as the case may be, is placed after the word 'condensed' instead of being placed after the word 'milk'.
 - (a) In the case of unsweetened full cream milk:

CONDENSED FULL CREAM MILK, UNSWEETENED.

THIS TIN CONTAINS THE EQUIVALENT OF

(X) PINTS OF MILK.

(b) In the case of sweetened full cream milk:

CONDENSED FULL CREAM MILK, SWEETENED.

THIS TIN CONTAINS THE EQUIVALENT OF
(X) PINTS OF MILK, WITH SUGAR ADDED.

(c) In the case of unsweetened half cream milk:

CONDENSED PARTLY SKIMMED MILK, UNSWEETENED (HALF CREAM).

SHOULD NOT BE USED FOR BABIES EXCEPT UNDER MEDICAL ADVICE. THIS TIN CONTAINS THE EQUIVALENT OF (X) PINTS OF HALF CREAM MILK.

(d) In the case of sweetened half cream milk:

CONDENSED PARTLY SKIMMED MILK, SWEETENED
(HALF CREAM).

SHOULD NOT BE USED FOR BABIES EXCEPT UNDER MEDICAL ADVICE.

THIS TIN CONTAINS THE EQUIVALENT OF
(X) PINTS OF HALF CREAM MILK WITH
SUGAR ADDED.

10

(e) In the case of unsweetened skimmed milk:

CONDENSED MACHINE-SKIMMED MILK [or CONDENSED

SKIMMED MILK], UNSWEETENED.

UNFIT FOR BABIES

[or NOT TO BE USED FOR BABIES]

THIS TIN CONTAINS THE EQUIVALENT OF

(f) In the case of sweetened skimmed milk:

CONDENSED MACHINE-SKIMMED MILK [or CONDENSED SKIMMED MILK], SWEETENED.

UNFIT FOR BABIES

NOT TO BE USED FOR BABIES]

THIS TIN CONTAINS THE EQUIVALENT OF (X) PINTS OF SKIMMED MILK, WITH SUGAR ADDED.

 The declaration shall in each case be completed by inserting at (X) the appropriate number in words and figures, e.g. 'one and a half (1½)', any fraction being expressed as eighths, quarters or a half.

- (1) The prescribed declaration shall be printed in dark block type upon a light coloured background.
 - (2) There shall be a surrounding line enclosing the declaration and in the cases in which the words 'unfit for babies' or 'not to be used for babies' are required to be used there shall be another such line enclosing those
 - (3) The distance between any part of the words 'unfit for babies' or 'not to be used for babies' and the surrounding line enclosing those words shall be not less than one-sixteenth of an inch.
 - shall be not less than one-sixteenth of an inch.

 (4) No matter other than that hereinbefore prescribed shall be printed within either surrounding line.

words

- (5) The type used for the declaration shall not in any part be less than one-eighth of an inch in height (or if the gross weight of the container does not exceed twelve ounces, one-sixteenth of an inch in height) and the type used for the words 'unfit for babies' or 'not to be used for babies' shall not be less than twice the height of any other part of the declaration.
- The label shall in addition bear the name of either the packer or the labeller of the condensed milk and the address at which such person carries on business: Provided that—
 - (a) where the condensed milk is packed or labelled on behalf of or on the instructions of another person and such other person carries on business at an address in the United Kingdom, the label may bear the name and address of that other person instead of the name and address of the packer or labeller, as the case may be;
 - (b) it shall be sufficient if instead of the particulars specified in this paragraph there appears prominently on the label a trade mark (other than a certification trade mark) of which there is in the Trade Marks Register kept under the authority of the Trade Marks Act, 1938(d), a subsisting entry in respect of such condensed milk, and if there is associated to the condition of the conditio
- The label shall be securely affixed to or be part of the container and in any case shall be so placed as to be clearly visible and the prescribed declaration shall be part of any main label.
 - 6. There shall not be placed on any container containing condensed milk— (a) any comment on, explanation of, or reference to either the statement of equivalence contained in the prescribed declaration or the words 'partly skimmed', 'machine-skimmed', 'skimmed' or 'unfit for babies' or 'not to be used for babies'; or
 - (b) any instructions as to dilution, unless either-
 - (i) the fluid produced in accordance with such instructions would contain not less milk fat and not less milk solids than full cream or half cream milk or skimmed milk as defined in paragraph 2 of this Schedule, as the case may require;
 - (ii) such instructions clearly specify that the fluid so produced is not of equivalent composition to full cream milk or half cream milk or skimmed milk, as the case may be.
 - 7. Wherever the word 'Milk' appears on the label of a container of condensed partly skimmed milk or condensed skimmed milk as the description of part of the description of the contents, it shall be immediately preceded or followed by the words 'Partly Skimmed' or 'Machine-skimmed' or 'Skimmed', as the case may require.
 - (a) 1 & 2 Geo. 6, c. 22

THE SECOND SCHEDULE

Column I			- 1	Column 2	Column 3
Description of Conden	sed Mi	w.		Percentage of Milk fat	Percentage of milk solids including fat
Full cream, unsweetened Full cream, sweetened Half cream, unsweetened Half cream, sweetened Skimmed, unsweetened Skimmed, unsweetened Skimmed, sweetened	::	::	::	9-0 9-0 4-5 4-5 —	31-0 31-0 26-5 26-5 20-0 26-0

THE THIRD SCHEDULE

Regulations revoked	Extent of Revocation	
кедшапопз гечоква	Extent of Revocution	
The Public Health (Condensed Milk) Regulations, 1923(a). The Public Health (Condensed Milk) Amendment Regu-	The whole regulations.	
lations, 1927(b) The Public Health (Dried and Condensed Milk) Regula-	The whole regulations.	
tions, 1943(c)	To the extent that they relate to the above mentioned regulations.	
The Public Health (Condensed Milk) (Amendment) Regulations, 1948(d)	The whole regulations.	
The Public Health (Condensed Milk) (Amendment) Regulations, 1953(e)	The whole regulations.	

⁽a) S.R. & O. 1923/509 (Rev. VIII, p. 28: 1923 p. 894).
(b) S.R. & O. 1927/1092 (1927 p. 457).

⁽c) S.R. & O. 1943/896 (1943 I, p. 288).

⁽d) S.I. 1948/1122 (1948 I, p. 1226).

⁽e) S.I. 1953/1609 (1953 I, p. 815).

THE DRIED MILK REGULATIONS, 1965 (Statutory Instrument 1965, No. 363)

This appendix should not be regarded as a legal instrument,

The Minister of Agriculture, Fisheries and Food and the Minister of Health, acting jointy, in ceiting of the power conferred on them by sections 4, 7 and 123 of the Fig. 2 and 124 of the power of the

Citation and commencement

Interpretation

- These regulations may be cited as the Dried Milk Regulations, 1965; and shall come into operation as follows:

 (a) this regulation and regulation 8(1) shall come into operation on 10th
 - March, 1965;
 (b) in all other respects, these regulations shall come into operation on
 - 11th March, 1965.

2. (1) In these regulations, unless the context otherwise requires-

'the Act' means the Food and Drugs Act, 1955;

'container' includes any form of packaging of dried milk for sale as a single item, whether by way of wholly or partly enclosing the dried milk or by way of attaching the dried milk to some other article, and in particular includes a wrapper or confining hand;

'dried milk' means milk, partly skimmed milk or skimmed milk, intended for sale for human consumption, which has been concentrated to the form of powder or solid by the removal of water, and includes any such milk which has been sweetened, modified or compounded;

'food and drugs authority' has the meaning assigned to it by section 83 of the Act:

'gross weight', in relation to a container, means the weight of the container and of its contents;
'human consumption' include use in the preparation of food for human

'human consumption' include use in the preparation of food for human consumption; 'sale by retail' means sale to a person buying otherwise than for the

purpose of resale; 'sell' includes offer or expose for sale or have in possession for sale; and

'sale' and 'seller' shall be construed accordingly;
'skimmed milk' includes separated or machine-skimmed milk;

'sugar' means the product usually known as sugar in commercial usage, consisting principally of sucrose;

AND other expressions have the same meaning as in the Act.

(2) Percentages shall be calculated by weight.

(a) 4 & 5 Eliz. 2, c, 16,

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- (3) These regulations apply to dried milk to which no other substance has heen added and to the dried milk contained in any powder or solid of which not less than 70% consists of dried milk.
- (4) The Interpretation Act, 1889(a) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament, and as if these regulations and the regulations hereby revoked were Acts of Parliament.

General Exemptions and Savings

- (1) The following provisions of these regulations shall not apply—
 (a) in relation to any dried milk intended at the time of sale for exporta
 - tion to any place outside the United Kingdom;

 (h) in relation to any dried milk supplied or intended for supply under
 - Government Contracts for consumption by Her Majesty's Forces or intended at the time of sale for consumption by a visiting force within the meaning of any of the provisions of Part I of the Visiting Forces Act, 1952(b);

 (c) in relation to any sale of dried milk to a caterer for the purposes of his
 - catering husiness or to a manufacturer for the purposes of his manufacturing business.

 (2) Until the regulations specified in Schedule 3 to these regulations are revoked in accordance with regulation 8 hereof the following provisions
- of these regulations shall not have effect in relation to any oficed milk toold in compliance with the provisions of the regulations specified in the said Schedule; and the provisions of the regulations see specified shall not beered) in relation to any dried milk which is odd in compliance with the following provisions of these regulations or to which any of the exemptions in these regulations apply.

Composition and description of dried milk

- 4. (1) Dried milk of each description specified in column 1 of Schedule 1 to these regulations shall contain a percentage of milk fat within the limits specified in relation thereto in column 2 of that Schedule and shall contain not more than 5-0% of moisture, and no person shall sell any dried milk which does not comply with this regulation.
 - (2) No person shall sell any food under such a description as to lead an intending purchaser to helieve that he is purchasing dried milk of a description to which paragraph (1) of this regulation applies, unless such food compiles with this regulation.
 - (3) Where a person sells any food to a purchaser in reponse to a request for dried milk of a description to which paragraph (1) of this regulation applies, he shall he deemed to sell dried milk of that description unless he clearly notifies the purchaser at the time of sale that the food is not dried milk of that description.

Labelling of containers of dried milk

 (1) Save as hereinafter provided, no person shall sell any dried milk except in a container hearing a label in accordance with the provisions of Schedule 2 to these regulations.

(a) 52 & 53 Vict. c. 63. (b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 67.

- (2) No person shall expose or offer for sale by retail any dried milk in any such container if the container is wrapped in paper or some other wrapper through which the label on the container is not clearly visible unless the outermost wrapper also bears a label as if it were a container to which paragraph (1) of this regulation applies.
 - (3) The provisions of this regulation shall not apply in relation to any sale of dried milk for immediate consumption on or at the premises of the seller or in or at any stall or mobile refreshment vehicle.

Penalties and enforcement

- 6. (1) If any person contravenes or fails to comply with any of the foregoing provisions of these regulations he shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months, or to both, and in the case of a continuing offence, to a further fine not exceeding five pounds for each day during which the offence continues after conviction.
 - (2) Each food and drugs authority shall enforce and execute such provisions in their area.
 - (3) The requirements of section 109(3) of the Act (which requires notice to be given to the Minister of Agriculture, Fisheries and Food of intention to institute proceedings for an offence against any provisions of these regulations relating to labelling or marking) shall not apply as respects any proceedings instituted by a council for an offence against any such provisions of these regulations.

- Application of various sections of the Act (1) Sections 108(3) and (4) (which relate to prosecutions), 110(1), (2) and (3) (which relate to evidence of analysis), 112 (which relates to the power of a court to require analysis by the Government Chemist), 113 (which relates to a contravention due to some person other than the person charged), 115(2) (which relates to the conditions under which a warranty may be pleaded as a defence) and 116 (which relates to offences in relation to warranties and certificates of analysis) of the Act shall apply for the purposes of these regulations as if references therein to proceedings, or a prosecution, under or taken or brought under the Act included references to proceedings, or a prosecution as the case may be, taken or brought for an offence under these regulations and as if the reference in the said section 112 to subsection (4) of section 108 included a reference to that
 - (2) Paragraph (b) of the proviso to section 108(1) of the Act shall apply for the purposes of these regulations as if the reference therein to section 116 of the Act included a reference to that section as applied by these regulations.

Revocation

8. (1) The Dried Milk Regulations, 1964(a) are hereby revoked.

subsection as applied by these regulations.

(a) S.I. 1964/857 (1964 II, p. 1816).

- (2) The regulations specified in Schedule 3 to these regulations shall be revoked on 10th September, 1965.
 - In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 26th February, 1965.

(L.S.)

Frederick Peart. Minister of Agriculture, Fisheries and Food.

Kenneth Robinson,

Minister of Health.

Given under the Official Scal of the Minister of Health on 3rd March,

(L.S.) Regulation 4

1965

SCHEDULE 1

Description and Composition of Dried Milk

Column 1			Column 2
Description of dried n	ilk		Percentage of milk fat
Oried full cream milk	::	::	Not less than 26. Less than 26 and more than 17. Not more than 17 and not less than 14. Less than 14 and not less than 14. Less than 8 and not less than 1.5. Less than 1.5.

Regulation 5

SCHEDITE 2

Labelling of Containers of Dried Milk

- 1. (1) Subject to the provisions of this paragraph, every container to which regulation 5 relates shall bear a label upon which is printed such one of the following declarations as may be applicable:
 - (a) In the case of dried full cream milk:

DRIED FULL CREAM MILK CONTAINS THE EQUIVALENT OF (X) PINTS OF MILK

(b) In the case of dried three-quarter cream milk, dried half cream milk, dried quarter cream milk and dried partly skimmed milk:

DRIED (Y) MILK SHOULD NOT BE USED FOR BABIES EXCEPT UNDER MEDICAL ADVICE CONTAINS THE EQUIVALENT OF (X) PINTS OF (W) MILK

(c) In the case of dried skimmed milk, either:

DRIED SKIMMED MILK

UNFIT FOR BABIES [or NOT TO BE USED FOR BABIES]

CONTAINS THE EQUIVALENT OF (X) PINTS OF SKIMMED MILK

.

DRIED LOW-FAT SKIMMED MILK CONTAINS NOT MORE THAN (Z)% MILK FAT

UNFIT FOR BABIES [or NOT TO BE USED FOR BABIES]

CONTAINS THE EQUIVALENT OF

- (2) The declaration printed on the label of a container to which regulation 5 applies shall, in the case of dried milk to which any substance other than sodium bicarbonate or sodium citrax has been added, be in the appropriate form prescribed in sub-paragraph (1) of this paragraph with the following modifications:
 - (a) There shall be added to the description of dried milk included in the declaration—
 - (i) the word 'sweetened' where only sugar has been added; (ii) the word 'modified' where only a constituent of milk has been
 - (iii) the word 'compounded' in every other case.
 - (b) Except where sugar is the only added ingredient, the words 'with (S) added' shall in every case follow the description of the dried milk, words being inserted at (S) to specify the substance or substances added.

added; and

- (3) Where the gross weight of the container is more than 10 lb., the words 'Contains the equivalent of (X) pints of milk' may be omitted from the declaration.
- (4) Where the milk or any part thereof is other than cows' milk, a word or words denoting the animal or animals from which the milk has been derived shall be inserted immediately before the word 'milk' wherever that word appears in the declaration.
- 2. The declaration shall in each case be completed as follows:
 - (a) There shall be inserted at (X) the appropriate number or fraction in words or figures;
 (b) There shall be inserted at (Y) the remainder of the appropriate descrip-
 - (b) There shall be inserted at (Y) the remainder of the appropriate description of dried milk in the terms set out in column 1 of Schedule 1 to these regulations and the same words shall be inserted at (W);
 - (c) There shall be inserted at (Z) the maximum milk fat content expressed as a percentage of the total weight of the dried milk;
 - (d) In the case of dried full cream milk, dried three-quarter cream milk, dried patter cream milk, dried patter cream milk, sting and dried party skilmed milk, the declaration may also include a sattement of the milk fat content expressed as a prematage of the total weight of the dried milk, and, in may also include a statement of the maximum milk fat content expressed as a foressite!
 - is a foresand; to inserted as (2) shall, in the case of drief full cream milk.

 Of The figure to be inserted as (2) shall, in the case of drief full cream milk, or shed quarter cream milk, the such as to ensure that the quiwhelm quantity is accurately expressed in terms of milk of the appropriate descriptions at cut in coloumn 1 of the following Table containing not less than the percenticular coloumn 2 and 3 respectively and, in the case of fined partly kinmed milk or dried skimmed milk, be such as to ensure that the equivalent quantity is accurately expressed in terms of milk of the appropriate chosen of the percenticular colourns 2 and the percenticular colourns 2 and the percenticular colourns of the following Table of the following Table of the following Table in the first of the first of the first of the following Table in the first of t

Column 1	Column 2	Column 3 Column 4		
Description of milk		Minimum percentage of milk fat	Minimum percentage of milk solids including milk fat	Minimum percentage of milk solids other than milk fat
Milk	::	3-6 2-7 1-8 0-9	12-4 11-6 10-8 9-9	Ē
Partly skimmed milk		Ξ	I =	2

 ⁽¹⁾ The prescribed declaration shall be printed distinctly and legibly in dark block type upon a light-coloured ground or in light block type upon a dark-coloured ground.

- (2) There shall be a surrounding line enclosing the declaration and in cases in which the words 'Unfit for babies' or 'Not to be used for babies' are required to be used, there shall be another such line enclosing those words.
 (3) The distance between any part of the words 'Unfit for babies' or 'Not to
- be used for babies' and the surrounding line enclosing those words shall be not less than one-sixteenth of an inch.

 (4) No matter other than that prescribed in paragraphs 1 and 2 of this
- (4) No matter other than that prescribed in paragraphs 1 and 2 of this Schedule shall be printed within either surrounding line.
- (5) The type used for the declaration shall not in any part be less than one-eighth of an inic in height and the type used for the words 'Unif for babies' or 'Not to be used for babies' shall be not less than twice the height of any other part of the declaration, except that in the case of a container of dried milk containing the equivalent of a quarter of a pint of milk or less, the type used for the declaration had quarter of a pint of milk or less, the type used for the declaration shall not in any part be test than one-sistenetth of an incid in being the aid thing the other than the containing the containin
- Every label affixed pursuant to regulation 5 of these regulations shall—
 (a) be securely affixed to, or form part of, the container:
 - (b) be so placed on the side or top of the container as to be clearly visible; and
- and
 (c) either form part of any main label, or be a separate label in close proximity to the main label.
- There shall not be placed on any container containing dried milk—

 (a) any comment on, explanation of, or reference to either the statement of equivalence contained in the prescribed declaration or the words 'three-quarter', 'half', 'quarter', 'partly skimmed', 'skimmed', 'low-fat', 'unfit for 'palies' or 'not to be used for 'palies' or.
 - (b) any instructions as to dilution, unless either-

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- (i) the fluid produced in accordance with such instructions would contain not less than 9% milk solids other than milk fat; or
- (ii) such instructions clearly specify that the fluid so produced is not of equivalent composition to milk, three-quarter cream milk, half cream milk, quarter cream milk, partly skimmed milk or skimmed milk, as the case may be.

Regulation 8(2)

SCHEDULE 3

Column 1	Column 2		
Regulations revoked on 10th September, 1963	References		
The Public Health (Dried Milk) Regulations, 1923. The Public Health (Dried Milk) Amendment Regulations, 1927 The Milk (Milk) Amendment (Milk) Amendment (Milk) (Mil	S.R. & O. 1923/1323 (Rev. VIII, p. 42: 1923, p. 900). S.R. & O. 1927/1093 (Rev. VIII, p. 42: 1927, p. 459). S.R. & O. 1943/896 (Rev. VIII, p. 42: 1943 I, p. 288). S.I. 1943 I, p. 288). S.I. 1948 I123 (Rev. VIII, p. 42: 1948 I, p. 1227).		

JOINT F.A.O./W.H.O. COMMITTEE OF GOVERNMENT EXPERTS ON THE CODE OF PRINCIPLES CONCERNING MILK AND MILK PRODUCTS

Standards for Evaporated and Condensed Milk

Evaporated Milk and Evaporated Skimmed Milk 1. Definition:

The liquid product obtained by the partial removal of water only from milk or skimmed milk.

Designations and Standards: 2.1. Evaporated milk

2.1. Evaporated milk
Evaporated whole milk

Evaporated full cream milk Unsweetened condensed whole milk

Unsweetened full cream condensed milk

—shall contain not less than 75% of fat by weight and not less than 25.0% of milk solids by weight.

2.2. Evaporated skimmed milk
Unsweetened condensed skimmed milk

-shall contain not less than 20.0% of milk solids by weight.

3. Permitted Additions:

Harmless substances necessary for the manufacturing process, for example:

sodium phosphate
sodium citrate
calcium chloride
as stabilisers

Sweetened Condensed Milk and Skimmed Sweetened Condensed Milk: 1. Definition:

 Demmon:
 The product obtained by the partial removal of water only from milk or skimmed milk with the addition of sugars.

*The Committee has before it a proposal to amend the standard to provide for a minimum of 7-8% of fat by weight and a minimum of 25-9% milk solids by weight,

The Committee has before it a proposal to amend the section on Permitted Additions as follows:

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(a) the section to be renamed 'Food Additives';
(b) delete 'sodium phosphate
          sodium citrate
                                  as stabilisers'
          calcium chloride
and insert:
  'Stabilizers
                                               Maximum level of use
The sodium and calcium salts of:
    hydrochloric acid
    citric acid
    carbonic acid
    orthophosphoric acid
    polyphosphoric acid
                                                       0.5%
      (as linear phosphate with a degree of
       polymerisation up to 6 units)
as a whole in the final product
(as anhydrous substances),
```

2. Designations and Standards:

2.1. Sweetened condensed milk
Sweetened condensed whole milk
Sweetened full cream condensed milk
—shall contain not less than 8-0% of fat by weight and not less than
28-0% of milk solids by weight.

2.2. Machine skimmed sweetened condensed milk Sweetened condensed skimmed milk

Sweetened condensed skimmed milk
Skimmed sweetened condensed milk
—shall contain not less than 24-0% of milk solids by weight.

3. Permitted Additions:

Harmless substances necessary for the manufacturing process.

4. Marking and Labelling:

Where sugars other than sucrose are used, either alone or together with sucrose, the name and percentage by weight of each sugar, including sucrose, shall be declared on the label.

REVISED STATUTORY DECLARATIONS

(a) In the case of unsweetened full cream milk:

EVAPORATED FULL CREAM MILK.

CONTAINS THE EQUIVALENT OF

(X) PINTS OF MILK.

(b) In the case of sweetened full cream milk:

CONDENSED FULL CREAM MILK.

CONTAINS THE EQUIVALENT OF

(X) PINTS OF MILK, WITH SUGAR ADDED.

(c) In the case of unsweetened partly skimmed milk:

EVAPORATED PARTLY SKIMMED MILK.
SHOULD NOT BE USED FOR BABIES
EXCEPT UNDER MEDICAL ADVICE.
CONTAINS THE EQUIVALENT OF
OO PINTS OF HALF CREAM MILK.

(d) In the case of sweetened partly skimmed milk:

CONDENSED PARTLY SKIMMED MILK.
SHOULD NOT BE USED FOR BABIES
EXCEPT UNDER MEDICAL ADVICE.
CONTAINS THE EQUIVALENT OF (X) PINTS
OF HALF CREAM MILK WITH SUGAR ADDED.

(e) In the case of unsweetened skimmed milk:

EVAPORATED SKIMMED MILK [or EVAPORATED LOW-FAT SKIMMED MILK CONTAINS NOT MORE THAN (Z)% MILK FAT].

UNFIT FOR BABIES

[or NOT TO BE USED FOR BABIES]

CONTAINS THE EQUIVALENT OF (X) PINTS
OF SKIMMED MILK

CONDENSED SKIMMED MILK [or CONDENSED LOW-FAT SKIMMED MILK CONTAINS NOT LESS THAN (Z)% MILK FAT].

CONTAINS NOT LESS THAN (2)% MIL

UNFIT FOR BABIES

[or NOT TO BE USED FOR BABIES]

CONTAINS THE EQUIVALENT OF (X) PINTS OF SKIMMED MILK, WITH SUGAR ADDED.